

REMARKS

The Examiner's action of January 14, 2010 is noted in which the claims are finally rejected under 35 USC 112 second paragraph, and 35 USC 102 based on a new Mason reference. Applicant has resolved the antecedent problems of the claims (Claim 1 and 8) and argues strenuously that Mason does not inherently teach or directly teach taking a standard transceiver and using a module to automatically convert audio information to a common format and frequency assigned to equipment operators on a temporary incident area network.

This is critical. Unlike Mason who specifies that specialized radios must be provided to the responders in order to create interoperability, a system is provided to adapt standard responder radios so that their transmissions use a common frequency and format. Thus, all the responder radios can communicate with each other as soon as they arrive at a temporary incident area network as long as they have the claimed module.

Note that Mason says in paragraph 70

"...but in contrast to the typical radios currently in use, the first responder radios 21000 provided herein enable the responders to communicate across different functional units (i.e., fire to police, police to EMS, etc) via common channels and frequencies."
(emphasis supplied)

Thus, what Mason teaches is providing responders with specialized radios set up specifically for interoperability purposes. On the other hand, the claimed system utilizes any radio and provides an add-on module to create the required interoperability.

Nowhere is shown an add-on module (called a TIAN shown in Figures 5, 6A and 6B). Nor was the use of add-on modules to create interoperability thought of by either Mason or anyone else prior to Applicants' invention.

Applicants' invention solves the problem of the many different types of radios used by responders without having to replace them.

Of course if all of the responders were provided with identical radios there would be no necessity for the subject invention. This is not the case and there needs to be a simple solution to get everybody to talk to each other as soon as they arrive at an incident area network.

It is Applicant's contention that the claimed invention is neither shown, taught, nor discussed, namely the problem of accommodating disparate radios having disparate communications protocols and frequencies.

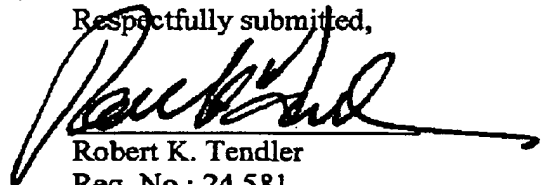
Moreover, there is absolutely nothing inherent in the Mason system that teaches the claimed invention; and in fact as can be seen from the above quoted portion, the Mason system will only work with specialized radios. This teaches away from the claimed invention.

Providing the responders with specialized radios will never happen, i.e. it is impossible to provide specialized radios to responders in different departments responsible for reacting to different needs; and to do so on a nationwide basis.

Allowance of the claims and issuance of the case is therefore earnestly solicited.

Alternatively, entry of this Amendment for purposes of appeal is requested.

Respectfully submitted,



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